## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

CHARLES CALVIN MOORE,	)	
AIS # 209229,	)	
	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	CASE NO. 2:08-cv-283-WKW
	)	
FRANK BUTLER POTTS, et al.,	)	
	)	
Defendants.	)	

## **ORDER**

On April 30, 2008, the Magistrate Judge filed a Recommendation (Doc. # 5) that the Complaint (Doc. # 1) be dismissed without prejudice for lack of jurisdiction. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, and there being no timely objections filed, it is hereby ORDERED that:

- 1. The Recommendation of the Magistrate Judge (Doc. # 5) is ADOPTED;
- 2. Plaintiff's Complaint (Doc. # 1) is DISMISSED without prejudice prior to service of process in accordance with the provisions of 28 U. S. C. § 1915(e)(2)(B); and
  - 3. Plaintiff's Motion to Change Venue (Doc. # 6) is DENIED as MOOT.

An appropriate judgement will be entered.

DONE this 19th day of June, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE